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Hongkong Daily Press.

ESTABLISHED 1857

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3. Price of each kind separately.
4. With the Application should be enclosed:
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10 per cent. of the proposed price, or the
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All information necessary and conditions can
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Leave - Changchun	...	Monday	Wednesday
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THE HONGKONG DISPENSARY
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Hongkong, 19th July, 1909.

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The Daily Press.

HONGKONG, AUGUST 31ST 1909.

If the announcement be correct that an agreement has been come to between China and Japan regarding the Chientao and the Fokuma Railway, and the other principal points in dispute in Manchuria, be correct, there is every reason to congratulate both China and Japan on the removal of a very dangerous complication. Throughout the dispute, it is satisfactory to notice, China had displayed an amount of good temper, which has been unfortunately not always present in her other negotiations, and she has been so far wise that she did not permit in this case the affair to fall into the hands of the professional agitators, who have done so much to make their country contemptible in the eyes of the other Powers. In September, 1907, we gave a sketch of the position in the Chientao, the "unoccupied circuit" between China and Korea, which for long had been closed to occupation by either Power in order to prevent inter-communication between the two countries. The land itself actually belonged to China, who in these days maintained an effective frontier guard to prevent smuggling, as it was called, between the two countries, and this was one of her last efforts to maintain herself in isolation from her neighbours. The principle is here not in question; the fact is notorious. Till, in fact, the defeat of the Chinese in the Japan war, the Chientao remained entirely unoccupied, except that in the latter days a few robbers, owing allegiance to neither China nor Korea, used

to make it the scene of their operations, and plunder both indifferently. The Chinese, after the treaty of Shimonsu, had little interest in Korea, and seem to have neglected from sheer carelessness the guarding of the Chientao. Still, according to old treaties, the Yalu and the Tumen rivers remained, as before, the northern boundaries of Korea on the west and east, respectively. The treaty of Portsmouth made little reference to boundaries, as these had never been in dispute; still it provided that Japan was not to erect fortifications along the Tumen, which would certainly have been a needless clause if Korea's actual boundary had then, or at any period, extended fifty miles further to the northern fringe of the Chientao.

It was then but natural that the claim, for the first time put forward by Japan, should have seemed to Russia to contravene what she considered as one of the important stipulations of the Agreement; it was also natural that England, whose commercial interests were concerned in linking up the railways between Chili and Mukden, should hesitate to endorse the prohibition by Japan of the construction by China of the Haimintun-Fakumen line. We are not now, fortunately, concerned with the reasons which led Japan to press her claims in either direction. Still, there is no doubt that, considering this amount of explosive material that was lying about, caution would have been reasonable. England in the hands of socialistic amateurs, one of whose fads was that Japan was benevolently guarding for us the Pacific, it is true, might be relied on not to go beyond the mildest of remonstrance; Russia was still too much occupied trying to suppress her own proletariat; and China—well, she need not be thought of. And so Japan thought the world wagged till a few months ago. France had made friends with England, and found the feeling reciprocated; but she had done more—she was not content till she had got Russia to join the baby-house. Then the United States commenced to notice that they had made a mistake in not cultivating China a little more; there was evidently a powerful nation who rated China at a higher level than did Japan—perhaps she had made a mistake—who knows? Finally King Edward had invited the Tsar Nicholas II. to pay him a visit; and they had talked long and confidentially. Now King Edward knows the political aspects of the world as well, or probably better, than any foreign minister in Europe, and it was certain that amongst the things that entered into their confidential communications at Cowes was this little affair of the relations between China, Russia and Japan. Altogether, there was much to be said in favour of making a friend of China. America thought it worth while; Russia, evidently, thought it worth while; and Japan has evidently also now found it worth while to join in the procession.

Indeed, the whole story, now that the solution has been found, reads not unlike the old nursery tale. The woman wanted to go over the stile to pluck the "bony bunch of raspberries" at the other side, but needed a stick to help her to cross, and all animated nature combined to prevent her. After the crowd had been vainly invoked one after the other, one more complainant than the others consented if she would fetch a jugful of water in a sieve. It was the crow who suggested plating the sieve with mud that finally got over the difficulty, with the result that each of the animals, who had before refused, ran in hot haste to fulfil the old lady's requests. Japan has evidently discovered how to carry the water in the sieve, and the result is instructive. First, the Chientao belongs to China; second, the Haimintun-Fakumen Railway will be built; third, Japan works the Fokuma and Tentai collieries; fourth, the railways will be taken into the city of Mukden; fifth, the Newchwang and South Manchurian Railways will be joined up, and connection made with the port and settlement at Newchwang. Now, all these things are very much for the advantage of China, as they will be also very much to the advantage of Japan; and we may go still further, and say with assurance they will be for the advantage of the whole world having any interest in the concerns of the Far East. But more advantageous in the immediate future is it that the scratching and catterwauling which has now been going on for two years, very much to the annoyance of the neighbours, and of not the slightest benefit to either of the concerned, will now have no more occasion for breaking out afresh; and we hope may be considered as finally ended. China has lately had much to answer for in the way of seeking to place herself at cross purposes with her best friends, and it would be well for her also did she take to heart the lesson, though, in this particular instance, it is to

her credit that she has succeeded in controlling her temper under somewhat aggravating circumstances. Still, with every desire to give credit for the display of a very ugly and dangerous position to both Japan and China, we fear we can congratulate neither on having materially contributed to the result—the real influences at work having been the effect of the recent rapprochement between Russia and England. The conference between the two sovereigns has really had more to say to the satisfactory result than all the wisdom of the East. Still, as it has come about, the least said is as to the means the soonest mended.

The report of the proceedings at the Supreme Court yesterday appear on page five.

Dr. Amos P. Wilder had a conference with President Taft at the White House, Washington, on the 26th inst.

An interesting judgment on the "practice of the war" in Hongkong was delivered by the Chief Justice yesterday in the Supreme Court.

The hearing of the action for damages for criminal conversation will be resumed to-morrow, when Mr. Lemm will be called in defence.

The Government proposals relating to Liquor Licences will not be discussed at the meeting of the Legislative Council which is called for to-morrow.

Attention has been called to the activities of a band of Sikh missionaries at Shanghai by the marriage of an Indian to a Chinese bride who had become a convert to Sikhism.

At the suggestion of the Commissioners of Constitutional Reform a scheme is being drawn up under which every Chinese male of a certain age must join the Army on pain of a fine of so much a month.

The *Washington Times* says:—These Chinese may be a trifle old fashioned in some regards, but it is every enlightened nation that can get the whole world quarrelling about the privilege of loaning it money.

For snatching a bangle from the arm of a girl in Queen's Road West on Sunday, Mr. Wood at the Magistracy yesterday sentenced two natives to twelve months' imprisonment, six hours' stocks and two whippings of twelve strokes each.

Signals to indicate the departure of the ferry launches at two minutes and one minute from time are being erected at the Hongkong wharf similar to those at Kowloon. They will be appreciated as avoiding needless sprints on the part of fares.

A native who appeared before Mr. J. E. Wood at the Magistracy yesterday on a charge of returning from banishment, informed his Worship that he was saving sufficient money to carry him to Canton. The Magistrate sentenced the offender to six months' imprisonment and four hours' stocks.

A Washington telegram dated the 26th inst. reported Major-General Wilson to be dying. General Wilson returned to the United States from Manila about eight months ago. In America, contracted during his tour of duty in the Philippines, the telegram says, are responsible for his present condition.

A Chinese youth was charged before Mr. J. E. Wood at the Magistracy yesterday with the larceny of a bicycle from Wanchoi, and with stealing \$83 and some title deeds from a woman at Kowloon City. Both charges were proved, and the defendant was sentenced to six weeks' imprisonment on each count.

A German sailor appeared before Mr. F. A. Hazelard at the Magistracy yesterday on charges of being drunk and disorderly and damaging furniture in a cell at the Central Police Station. His Worship ordered the defendant to pay a fine of \$5 on each charge.

Before Lieut. C. W. Beckwith, R.N., at the Marine Magistrate's Court yesterday the master of the steam launch *Tak On* was fined \$5 and had his certificate cancelled for failing to observe the rules of the road. The defendant will be required to pass a further examination before regaining his certificate.

A native named Wong Kam was arraigned before Mr. J. E. Wood at the Magistracy yesterday on a charge of kidnapping. The defendant is alleged to have enticed a girl fifteen years of age away from her home at Wanchoi and placed her in a brothel at West Point. The hearing of the case was adjourned, and the defendant was admitted to bail in the sum of \$500.

The plays which the Bandmann Merry Little Maids will stage on their return to the Colony from Manila will be "Hook of Holland," "Havana," and "The Girls of Gottenberg" (2nd edition). They start with the first-named comedy on Friday next. Their farewell performance on Tuesday will be a variety entertainment, including the Apache dance and a grand Rose Ballet.

Two stallholders in the Sokampo Market at Wanchoi appeared before Mr. F. A. Hazelard at the Magistracy yesterday on a charge of cutting and wounding. The complainant was stated to have spoken disparagingly of the goods sold by the defendants, in consequence of which the latter attacked him with a chopper. His Worship discharged the first defendant, and remarked that as the second had received great provocation he would allow him the benefit of a fine. He ordered the second man to pay a fine of \$25, the alternative being one month's imprisonment.

When the new Viceroy of the Liangkang was at Shanghai the other week, a number of valuable papers and some money were abstracted from his baggage by a gang said to consist of four notorious scoundrels. The robbery took place in the French Concession and since then the French police have been instrumental in having one of the suspects arrested in Nanking. He now lies in prison in Shanghai pending the apprehension of his accomplices.

Mr. J. E. Wood presided over a meeting of Justices of the Peace held at the Magistracy yesterday afternoon, and there were also present Messrs. F. J. Badley and C. D. Melbourne. The business was to consider an application from Mr. E. A. Kennedy for the transfer to him from Mr. A. E. Gagnon of the publican's licence to sell by retail intoxicating liquors on premises No. 2, Pak Shui Wan, Shaukiwan Road, under the sign of "The Belle View Hotel." The application was adjourned until the 10th ultimo.

Two of the largest funerals which have ever taken place in Macao were witnessed on Saturday last, one being that of the late Rev. Mother Superiora, Teresa Lucian, of the Canossian Institute at St. Antonio, and the other, the wife of Mr. Carlos d'Assumpcao, the chief Chinese interpreter of the *Expedient Sincio* (Macao). Mrs. Merlinda de Serna Fernandes d'Assumpcao. All the ecclesiastical, military and civil corporations took part in the funerals and the services at the resting place. The Rev. Mother Teresa Martinola, of Hongkong, and staff were among the chief mourners at the funeral of the former, and Mr. J. M. de Castro Basto and family (also from Hongkong) were among those who attended the latter.

A Chinese shroff employed in the comprador's office at Messrs. Butterfield and Swire's was charged before Mr. F. A. Hazelard at the Magistracy yesterday with obstructing a lunkong in the execution of his duty. It appears that the defendant did not believe the lunkong was a genuine member of the force, and just as the latter had arrested two prisoners the shroff pushed the prisoners and the policeman into his office, locked the door and rang up the Central Police Station. On the arrival of a constable from the Central Station the lunkong was identified, and the defendant was yesterday called before the Court. His Worship imposed a fine of \$100, the alternative being two months' imprisonment.

Following is the programme of the Grand Promenade Concert to be given under the auspices of the Catholic Union in the compound of the Roman Catholic Cathedral to-morrow at 9 p.m.:

PART I.
March "Entry of the Gladiators," Band of the Buffs.
Song "The Amorous Goldfish," Miss Burke.
Selection "The Girls of Gottenberg," Band of the Buffs.
Comic Song "Selected," Mr. Tams.
Bell Ringers "La voix des Cloches," Band of the Buffs.
PART II.
The Blind Beggar, Mr. F. A. & Mr. Collier.
Interval of 10 minutes.
PART III.
Selection, "A Country Girl," Band of the Buffs.
Comic Duet "The blow nearly killed father," Corset Solo, Selected, Mr. J. Duffy.
Violin Solo, Selected, Prof. Gonzalez.
Characteristic Folk "The Jolly Cobblers," Band of the Buffs.
God Save the King.

HONGKONG SANITARY BOARD.

A meeting is called for this afternoon. The orders of the day include the reading of a letter from Government relative to the abolition of the post of Sanitary Surveyor. The Select Committee appointed to consider the Retrenchment Committee's report will present its report.

The Select Committee appointed to consider the question of amending the Market Bye-laws will also submit its report.

Mr. Shelton Hooper, pursuant to notice, will move:

"That in the interest of the Public Health of this Colony it is desirable for the Government to clear all brushwood from Crown land in the close proximity of dwelling houses which is likely to be detrimental to the Public Health owing to its harborage of mosquitoes on the ground that the existence of such brushwood is a nuisance detrimental to the Public Health."
"The cost of such work to be paid for out of the Public Funds, and that where such brushwood is on private land the owners be called upon to clear it at their own expense."

WEATHER REPORT.

The Hongkong Observatory yesterday issued the following report:—
On the 30th at 11.55 a.m.—The barometer has fallen slightly in Japan, and risen a little over India-China.

Pressure remains low over Manchuria. It is high over S.W. China, and over the Pacific to the E. of Japan.

Gradients continue slight, and light S.W. winds may be expected in the Formosa Channel and light E. and N.E. winds over the N. part of the China Sea.

Hongkong rainfall for the 24 hours ending at 10 a.m. to-day, 0.00 inches.

The forecast for the 24 hours ending at noon to-day is as follows:—

Hongkong & Neighbourhood	Variable winds, light; fine.
Formosa Channel	S.W. winds, light.
South coast of China between Hongkong and Lamcocks	Same as No. 1.
South coast of China between Hongkong and Hainan	Same as No. 1.

How to be Beautiful—Keep your complexion Mrs. Ellen's Creme Chamois, Lait Chamois and Special Skin Tonic and Poudre Chamois will enable you to do it. Her Specialties for the Skin are the study of a lifetime. A. S. Watson & Co. Ltd. Sole Agents.

TELEGRAMS.

[Protected by the Telegraphic Message
Copyright Ordinance 1894]

[REUTERS'S SERVICE TO THE "HONGKONG
DAILY PRESS"]

A POLITICAL CRISIS IN
GREECE.

LONDON, August 30th.

It is telegraphed from Athens that M. Ralli's Cabinet has resigned as a result of its refusal to accept the military reforms demanded by the officers of the Army and Navy.

The King has summoned M. Mavromichalis.

A portion of the garrison quitted Athens and camped outside the city.

The new Ministry has now annointed the troops.

It is stated that the Crown Prince will resign the command of the Army.

COUNT ZEPPELIN FLIES TO
BERLIN.

LONDON, August 30th.

Count Zeppelin has travelled in his airship from Friedrichshafen to Berlin, where he arrived at 12.50 on Saturday.

He dipped the prow of the airship as a salute to the Emperor.

The Count met with a great popular reception.

A GREAT CALAMITY IN
MEXICO.

LONDON, August 30th.

Disastrous floods have occurred along the Santa Caterina river in North Mexico. Over half a mile of houses have been swept away at Monterey fronting on the river. The disaster occurred at midnight and hundreds were overwhelmed while asleep.

Four hundred bodies have already been recovered.

ANTI-OPIMUM MEASURES IN
PERSIA.

LONDON, August 30th.

Reuter's Correspondent at Teheran reports that the Government has issued a stringent regulation restricting the sale of opium, aiming at the ultimate suppression of the habit, which the proclamation declares is responsible for the backwardness of Persia.

OUR DUTCH VISITORS.

The Netherlands East Indies Squadron is seeing Hongkong at its best and both officers and men seem to be enjoying their visit. Yesterday the Division Commander G. F. Tydenman made his official landing from the flagship *De Ruyter*, accompanied by Captain Mitchell Taylor, A. D. C. to His Excellency the Governor. The Commodore stopped ashore at Blake Pier, where a guard of honour drawn from the Buffs, carrying their colours and accompanied by the band, received him with the usual salute, the band playing the Dutch national anthem. After inspecting the guard of honour the Commodore, with his aide-de-camp, and Mr. J. H. de Rous, Dutch Consul, proceeded to Government House, where they were received by His Excellency. In the evening they were entertained to dinner by Sir Frederick Lugard. To-day being the birthday anniversary of Her Netherlands Majesty Queen Wilhelmina there will be celebrations in honour of the event. The Consul will be at home at the Consulate, and in the evening the Dutch community will tender a banquet to the officers of the squadron in the Hongkong Hotel. Covers for 75 will be laid. This is the largest gathering of Dutchmen that has ever assembled in Hongkong.

On Wednesday His Excellency the Governor will entertain the Commodore, the commanders and the first officers to dinner at Government House, and it is probable that the Commodore will give a stiff on board the *De Ruyter*. As it was intended that the squadron should visit Canton, it is deemed advisable to delay the visit until a more opportune occasion, as the new Viceroy has not yet taken up office, and the cruisers will leave here on Thursday for Amoy, the merchants of which have great trading relations with Java, and thence sail for Shanghai and Taku, afterwards visiting Kobe and Yokohama. It is expected that the squadron will return here in the early part of November for five days.

ALLEGED ADULTERATED BRANDY.

The hearing of the summons against Mrs. Meyer, of the Colonial Hotel, 'Tai Sing, Commodore, Queen's Road Central, and Chuen Chung, compradore, Arsenal Street, for selling brandy not of the nature demanded, was continued at the Magistracy yesterday before Mr. F. A. Hazelard. The defendants were also summoned for selling adulterated brandy.

Mr. F. R. L. Bowley, Crown Solicitor, prosecuted in all the cases; Mr. John Hastings defended Tai Sing and Chuen Chung; and Mr. P. S. Dixon from Mr. R. A. Harding's office, represented Mrs. Meyer.

Mr. Frank Brown, Government Analyst, was recalled and re-examined by Mr. Bowley. He said he did not agree with the statement that if brandy contained a small quantity of alkaline the standard of others would be reduced. Witness produced particulars of several experiments he had made of brandy of good and fair quality. He was acquainted with the brandy prosecution which took place in London in 1905 after the publication of the paper referred to by Mr. Hastings.

Mr. Hastings objected to the evidence.

His Worship—You object to me hearing this, but what about the book you produced at the last hearing?

Mr. Hastings said he put in that book in cross-examination, which he was thoroughly entitled to do.

His Worship said the witness had a perfect right to treat the statement as an expert.

Mr. Bowley contended that his Witness was entitled to hear the quotation read, as in police court cases journals such as the one in question (the *Analyst*) were referred to frequently.

Witness said the standard of others in brandy had been fixed in England at eighty parts, and this had not been appealed against.

Mr. Hastings, after reading the *Analyst*, said he had no objection to his Witness having it read, as it rather supported his contention.

In cross-examination witness said he was of opinion that if he had used Kent water, which contained 20 grains of alkaloid per gallon, the result of his recent experiments would have been the same: that was because the natural acidity in the brandy would neutralise the alkalinity of the water.

This closed the case for the prosecution.

Mr. Hastings, in opening the defence, asked his Witness to take the case of Tai Sing first. That firm had been in the Colony for fifty years, and had never been troubled in any way by the police or anybody else for carrying on trade in adulterated liquors. They kept all kinds of brandy, from the best to the lowest priced brands. The inspector deliberately chose the cheapest kind of brandy, and the speaker suggested that he must have known that he was not getting the best kind at the cheapest price; therefore, there could be no prejudice whatever at the time of the sale. The brandy bought by the officer was used, as a cooking brandy, and was bought by his clients from a German firm with whom they had dealt for several years. It had been admitted by the prosecution that the sample produced was not deleterious to health, and further it had been admitted by them that the article had not been adulterated by any undue proportion. The only complaint was that the spirit of the brandy was made from substances other than the juice of the grape. He submitted that alcohol could be derived from many sources. The prosecution had no right whatever to say that only substances derived from the grape were to be called brandy. With regard to the experiments made by Mr. Brown, he submitted that they were not made in a proper manner, and, therefore, should not be taken notice of.

Mr. S. Spurge, an analyst in the employ of Messrs. A. S. Watson and Co., was called to the witness stand. He testified to having had a considerable experience in testing brandy and other spirits. In his opinion it was not possible in the present state of knowledge for an analyst to say with certainty the source from which a spirit in any sample of brandy was derived, as the spirit might be derived from various sources. He had seen Mr. Brown's certificates with regard to the present case, but he thought it was impossible to pass the opinion that the brandy was not derived from the juice of the grape from facts mentioned by Mr. Brown in his certificate.

The hearing was again adjourned.

LOCAL SPORT.

WATER POLO.

Mr. A. E. S. Alves has formed a water polo team of his own to play the Buffs team to-morrow afternoon, at the V.E.C. (by permission). The following represent Alves' team:—C. A. C. Rodrigues; A. E. S. Alves (Capt.) and A. J. V. Ribeiro; A. V. Barros, J. M. R. Pereira, P. M. Remedios and J. M. Lopes. Buffs' team—Barnard, Williams, Cloke, Burke, Smith, Stiff and Vincer.

INTERPORT RIFLE MATCH.

Practice for this match will commence on Saturday next, 4th September, on the King's Park Range at 2.30 p.m. The range will be available for practice on Saturdays and Sundays throughout September, except Saturday, 11th. The Hon. Secretary, Mr. M. S. Northcote, will be glad to see all rifle shots attend these practices.

The name of the British Army officer who was recently killed at Peking was Captain Leary, who was chief ordnance officer at Tientsin. As the train was pulling out, he lost his balance, fell under the wheels of one of the coaches, and was crushed to death. He was late and tried to jump on the train after it had started. We learn that Captain Dooner has been transferred from Hongkong to fill the vacancy this created.

NOTICE.

Communications respecting Advertisements, Subscriptions, Printing, Binding, &c., should be addressed DAILY PRESS only, and special business matter THE MANAGER.

Advertisements and Subscriptions which are not ordered for a fixed period will be continued until countermanded.

Orders for extra copies of DAILY PRESS should be sent in before 11 a.m. on day of publication. After that hour the supply is limited. Only supplied for Cash.

Telegraphic Address: PRESS CODES: A.B.C. 5th Ed. Lieber's.

P.O. Box, 33. Telephone No. 12.

NEW ADVERTISEMENTS

PUBLIC AUCTION.

THE Undersigned will Sell by Public Auction, TO-MORROW (WEDNESDAY), the 1st SEPTEMBER, 1909, at 2.30 P.M., at their Sales Rooms, No. 8, Des Voeux Road, —

PURE IRISH TABLE CLOTHS and SERVIENTTES, PILLOW CASES, WHITE SATIN QUILTS, HUCKABACK TOWELS, TURKISH TOWELS, BATH SHEETS, BROWN LINEN TOWELS, HAND-EMBROIDERED TOP SHEETS, and BEDSPREADS, Five o'clock TEA CLOTHS, REMNANTS, LADIES WHITE LAWN UNDERSKIRTS, WALKING SKIRTS, COMBINATIONS, ROBE.

Also, —

GENTS SUIT LENGTHS, LACE CURTAINS, and WITNEY BLANKETS, &c., &c.

(All New Goods).

Catalogues will be issued.

Terms:—As Usual.

HUGHES & HOUGH, Auctioneers.

Hongkong, 31st August, 1909. [1130]

NOTICE TO CONSIGNEES.

FROM CALCUTTA, PENANG AND SINGAPORE.

THE Steamship

"JAPAN."

having arrived from the above Ports, Consignees of cargo are hereby informed that their goods will be delivered from alongside.

Cargo impeding the discharge will be landed at once, at Consignees' risk and expense.

Cargo remaining on board after 4 P.M. of the 1st Sept., will be landed at Consignees' risk and expense.

Consignees of cargo from SINGAPORE and PENANG are requested to take IMMEDIATE delivery of their goods from alongside, such cargo impeding the discharge of the Vessel will be landed and stored at Consignees' risk and expense.

No Fire Insurance has been effected.

Bills of Lading will be countersigned by DAVID SASSOON & Co., Ltd., Agents.

Hongkong, 30th August, 1909. [1125]

"MOGUL" LINE OF STEAMERS.

NOTICE TO CONSIGNEES.

S.S. "ATHOLL."

FROM GLASGOW, LIVERPOOL AND STRAITS.

CONSIGNEES of Cargo are hereby informed that all Goods are being landed at their risk into the Godowns of the Hongkong and Kowloon Wharf and Godown Company, at Kowloon, whence and/or from the wharves delivery may be obtained.

No Claims will be admitted after the Goods have left the Godowns, and all Goods remaining undelivered after the 6th Sept. will be subject to rent.

All Claims against the Steamer must be presented to the Undersigned on or before the 30th Sept., or they will not be recognized.

All broken, chafed, and damaged Goods are to be left in the Godowns, where they will be examined on the 6th Sept., at 3 P.M.

No Fire Insurance has been effected.

Bills of Lading will be countersigned by DODWELL & Co., Ltd., Agents.

Hongkong, 30th August, 1909. [1129]

THE HONGKONG WEEKLY PRESS & CHINA OVERLAND TRADE REPORT

is now ready and contains:—

Epitomes of the Week's News.

Leading Articles:

The Need of Financial Reform.

Customs Duty at Hongkong.

The Policing of the New Territory.

Constitutional Government in China.

Parliament and Hongkong's Lost Opium Revenue.

The Frontier in China.

Raiders' Raids.

Hongkong News.

The Revenue Problem.

Hongkong Legislative Council.

Hongkong's Typhoon Refuge.

Correspondence:

The Hongkong Bank and the University Scheme.

Lack of Educational Facilities at the Peak.

A Star Ferry Coxswain Fined.

Disobedience at Sea.

Shooting Affray on the s.s. "Lightning."

Reported Highway Robbery.

Philippine Bonds Issued in the United States.

Opium in Hongkong and the Straits.

The Question of Railway Stations.

The Antang-Mukden Railway Question.

The Health of Weihaiwei.

Public Works in the Philippines.

Amara and Mesquita.

The Washerman.

Supremacy Court.

Manlaughter or Assault?

A Boycott of the British on the Yangtze.

Free Trade between America and the Philippines.

The Manila Opium Case.

Notes from Japan.

Company Meeting.

Hongkong and Shanghai Banking Corporation.

Hongkong and Whampoa Dock Co.

Shanghai Cotton Spinning Company.

Company Reports:

NEW ADVERTISEMENTS

THEATRE ROYAL.

TWO NIGHTS

CHAPMAN

ALEXANDER.

Two men who have come fresh from Australia and the Philippines, where no buildings were large enough to hold the crowds that came to hear them SPEAK and SING.

TO-NIGHT

WEDNESDAY NIGHT.

NINE O'CLOCK P.M.

ADMISSION FREE.

NEW SONGS.

Hongkong, 31st August, 1909. [1131]

S.S. "POLYNESIAN."

COMPAGNIE DES MESSAGERIES MARITIMES.

NOTICE.

CONSIGNEES of Cargo from London

or s.s. "Dordogne" and "Medoc"

from Havre or s.s. "Dordogne" from Bordeaux

s.s. "Ville de Valenciennes" in connection with

above Steamer are hereby informed that their

goods with the exception of Treasure and Valu-

ables are being landed and stored at their

risk into the hazardous and/or extra hazardous

Godowns of the Hongkong-Kowloon, Wharf

and Godown Co., Ltd., at Kowloon whence deliv-

ery may be obtained immediately after land-

ing.

Optional Cargo will be forwarded on unless

intimation is received from the Consignees

before 8 P.M. To-day, requesting it to be

landed here.

Bills of Lading will be countersigned by the

Undersigned. Goods remaining unclaimed after

MONDAY, the 6th Sept., at NOON, will be

subject to rent and landing charges.

All claims must be sent in to me on or before

the 6th Sept., or they will not be recognized.

All damaged packages will be examined on

MONDAY, the 6th Sept., at 3 P.M.

No Fire Insurance has been effected.

P. DE CHAMPEMORIN, Agent.

Hongkong, 30th August, 1909. [2]

INTIMATIONS

DIOCESAN SCHOOL & ORPHANAGE.

SCHOOL will RE-OPEN on WEDNES-

DAY, 1st September.

Hongkong, 30th August, 1909. [1126]

THE ITALIAN CONVENT ENGLISH

SCHOOL.

CANE ROAD.

THE SCHOOL will RE-OPEN on

WEDNESDAY, September 1st,

at 8.30 A.M. For Particulars as to Board and

Tuition apply to—

THE SUPERIORESS, Italian Convent.

Hongkong, 28th August, 1909. [1120]

CATHOLIC UNION.

A GRAND PROMENADE

CONCERT

Will be given

By the FULL BAND of the BUFFS,

With Kind Assistance of Friends of the

Institution.

In the Compound of the Roman Catholic

Cathedral, "Glenside."

TO-MORROW (WEDNESDAY), 1st Sept.,

1909, at 9 P.M. sharp.

Admission ONE DOLLAR.

Tickets can be had at the above address or at

the Gate on the Night of the Concert.

Hongkong, 28th August, 1909. [1121]

HARBOUR MASTER'S DEPARTMENT.

IT IS HEREBY NOTIFIED that in-

formation has been received from the

Military Authorities that GUN PRACTICE

will be carried out as under:—

On THURSDAY, the 2nd September:—

From Pakshawan, in a North-Easterly

direction, at ranges up to 6,500 yards,

commencing at 5 P.M., and finishing at

11 P.M.

If the weather is unfavourable on the above

date, practice will take place on the following

day.

All ships, junks and other vessels are to

keep clear of the ranges.

C. W. BECKWITH, Lieut., R.N.,

Harbour Master, &c.

Hongkong, 27th August, 1909. [1122]

HONGKONG JOCKEY CLUB.

NOTICE.

MEMBERS wishing to put down for

Subscription for the next

RACE MEETING are requested to send

their Names in to the Undersigned, from whom

PUBLIC COMPANIES

THE CHINA LIGHT & POWER CO., LD.

THE EIGHTH ORDINARY ANNUAL

MEETING OF SHAREHOLDERS

in the Company will be held at the Company's

Office, St. George's Building, No. 6, Connaught

Road, Victoria, on SATURDAY, 11th

September, 1909, at NOON, for the purpose of

receiving Statements of Accounts and the

Report of the General Managers for the 11

months ending 31st July, 1909, and electing a

Consulting Committee and Auditors.

The TRANSFER BOOKS of the Company

will be CLOSED on FRIDAY, the 10th, and

SATURDAY, the 11th September, 1909.

SHEWAN TOMES & Co., General Managers.

Hongkong, 28th August, 1909. [1123]

HONGKONG HOTEL COMPANY, LTD.

THE ORDINARY HALF-YEARLY

MEETING OF SHAREHOLDERS

will be held at the Company's Hotel, on

SATURDAY, the 11th September, 1909, at

12.30 P.M., for the purpose of receiving a

Statement of Accounts of the Company to the

30th June, 1909, with the Report of the

Directors, and to discuss any matter that may

be competently brought before the Meeting.

The TRANSFER BOOKS of the Company

will be CLOSED from the 5th to the 11th

September, both days inclusive.

By Order of the Board,

C. MOONEY, Secretary.

Hongkong, 30th August, 1909. [1127]

AUCTION

PUBLIC AUCTION.

THE Undersigned has received instructions

to Sell by Public Auction,

TO-DAY (TUESDAY),

the 31st day of August, 1909, at 11 A.M.,

at his Sales Room, Duddell Street,

(By Order of the Liquidator of the

Hongkong Milling Co., Ltd.)

17 COILS LEATHER BELTING (some

new), 21 SINGLES SEWING MACHINES,

63 CASES "COOL HOUSE" PAINT, 24

TRUCKS (2 and 4 Wheeled), 17 PAIR-

BANK'S SCALES, Quantity of

TINPLATES, COTTON THREADS, GAL-

VANISED IRON BUCKETS, OIL, &c., &c.

Also

One ELECTRIC SEARCH-LIGHT

(Complete).

Terms:—Cash on delivery.

GEO. P. LAMBERT, Auctioneer.

Hongkong, 28th August, 1909. [1124]

ASAHI

BEER

SAPPORO

BEER

TO BE OBTAINED

FROM ALL WINE DEALERS

SOLE AGENTS:

MITSUI BUSSAN KAISHA.

[1128]

AUTOMATIC BROWNING

POCKET PISTOLS.

CALIBRE 7.65 mm.

With CHAMBER for 8 CARTRIDGES

FIRING 8 SHOTS in 2 SECONDS.

SIEMSEN & Co.

Hongkong, 6th March, 1907. [47]

NEW CARTRIDGES.

BY popular English Manufacturers. In

all Bore and Sizes.

SMOKELESS POWDERS and CHILLED

SHOTS. From No. 10 to 88SG. at \$5.47 and

\$7.50 per 100. SPORTING REQUISITES

and AIR GUNS in Variety.

Inspection Invited.

WM. SCHMIDT & Co.

Hongkong, 26th October, 1905. [623]

GRAU & CO.

(Established 1894).

No. 27 DES VOEUX ROAD.

Dealers in

POSTAGE STAMPS

AND

VIEW POST CARDS.

Just Received a Selection of

SEN'S ILLUSTRATED

POSTAGE STAMP ALBUMS

of Latest Edition, from \$1.75 to \$16 Each.

Inspection Invited.

[910]

JUST LANDED

A LARGE ASSORTMENT OF

LADIES' & GENTS' BOOTS

PREMIUM BONDS

WE are the largest Dealers in the world in these attractive securities.

WHAT ARE THESE BONDS?

They are high-class and absolutely safe securities, payable to bearer, issued by the various Governments and Municipalities of Europe; they are redeemable at periodical drawings, either with Cash Premiums varying from £40 to £40,000, or, at the very least, at their full nominal value.

EASY PAYMENTS.

We sell these Bonds singly or in combinations of the most advantageous ones, payable by convenient Monthly Instalments ranging from 15s. to £20.

Write for Handbook, sent post free.

MELVILLE, GILLY & Co., Bankers, 3, Rue de la Bourse, PARIS (France).

[1024]

TO LET

TO LET.

N^o. 1 and 3 MORRISON HILL. Also OFFICES at No. 2, PEDDAR STREET. Apply—
Messrs. JARDINE, MATHESON & Co., Ltd.
Hongkong, 31st May, 1909. [807]

TO LET.

FIVE ROOMED HOUSES at Kowloon. 1 ROOM on First Floor of "Hotel Mansions," with use of Bath Room, suitable for Office or Living Room. NEW and COMMODIOUS SHOPS, Nathan Road, Kowloon. Immediate Possession. Cheap Rentals. KOWLOON MARINE LOT 48, Yau-mat, Area 85,200 square feet with 255 feet Sea Frontage. Especially suited for Storage of Coal, Timber, &c. Apply to—
HUMPHREYS ESTATE & FINANCE COMPANY, LIMITED.
Hongkong, 29th June, 1909. [909]

TO LET.

N^o. 2, OLD BAILEY. Immediate possession. Moderate Rental. Apply to—
ARRATON V. APCAR & Co.,
14, Des Voeux Road.
Hongkong, 7th August, 1909. [1063]

TO LET.

A HOUSE in Wang Nei Chong Road. A HOUSE in RUPON TERRACE. OFFICES TO LET, No. 2, Connaught Road, 3rd Floor. No. 3, CLIFTON GARDENS, Conduit Road. No. 10, DES VŒUX ROAD CENTRAL, 1st floor. OFFICES in YORK BUILDING. GODOWNS in PRAYA EAST, BURN BUILDING, No. 16B, Des Voeux Road next to the Hongkong Hotel. FLATS in MORRISON TERRACE. Apply to—
THE HONGKONG LAND INVESTMENT & AGENCY CO., LD.
Hongkong, 1st August, 1909. [97]

TO LET.

GODOWNS, Nos. 95, 96 and 97, PRAYA EAST. Apply—
CHATER & MODY,
Victoria Buildings.
Hongkong, 1st February, 1909. [264]

TO LET.

STORAGE. FOR COAL, TIMBER, &c. TO BE LET, a portion of MARINE LOT 31, No. 225 at NORTH POINT, suitable for above purposes. EXTENSIVE WATER FRONT. DEEP WATER. Also FOR SALE. Portions of MARINE LOTS Nos. 31 & 36 on PRAYA EAST. Approximate AREA 41,000 SQUARE FT. 999 YEARS LEASE. For Particulars, apply—
GEO. FENWICK & Co., Ltd.
Hongkong, 8th June, 1909. [96]

TO LET.

GODOWN, No. 5A, DUDDELL STREET. Apply to—
THE HONGKONG LAND INVESTMENT & AGENCY CO., LD.
Hongkong, 1st August, 1909. [98]

TO LET.

N^o. 2, BEACONFIELD ARCADE, facing the Parade Ground. PREMISES lately vacated by Messrs. Gordon & Co., known as 21, Whitefield, Shaikwan Road. PREMISES at SHAMRIN, CANTON, now in occupation of the Canton Kowloon Railway. THE EYBLE, No. 13, Peak, Six Rooms, Tennis Court and very large Garden. BEACONFIELD ARCADE, 2 Rooms on 1st floor, well suited for Office. DWELLING ROOMS and OFFICES in Queen's Road Central. GODOWNS in Duddell Street. HOUSES in BELLIOS TERRACE, Robinson Road, newly painted and color-washed, exceptionally cheap rentals. FOR SALE—TORCH CREST, at Peak, commanding a magnificent view of the Harbour and Adjacent Islands. Apply to—
LINSTAD & DAVIS,
3rd Floor, Alexandra Buildings.
Hongkong, 30th August, 1909. [100]

TO LET.

GODOWNS Nos. 7, 8 and 10, and the Top Floor of No. 3, (Tang Lap Ting's Godown East Point). Immediate Possession. Rent exceptionally moderate. Apply to—
KAM FOK,
No. 107, Wellington Street, behind the Stag Hotel or Keeper of No. 6, Godown on the Spot.
Hongkong, 26th May, 1909. [797]

TO LET

TO LET.

King's BUILDINGS. OFFICES facing the Harbour from about October at present in occupation of Messrs. JARDINE, MATHESON & Co., Ltd. Apply—
THE HONGKONG LAND INVESTMENT & AGENCY CO., LD.
Hongkong, 1st August, 1909. [818]

TO LET.

N^o. 1, OBSERVATORY VILLAS, Kowloon. Five-Roomed House; Electric Lights and Tennis Court. "ERANE BUNGALOW," Kowloon. A Small Garden attached. Moderate Rental. HOUSES in LYEMOON VILLAS, Kowloon. Apply to—ARRATON V. APCAR & Co.,
14, Des Voeux Road.
Hongkong, 24th August, 1909. [399]

POPULAR SUMMER RETREAT.

ONE of the BEST HOUSES at Kuitang, the Beautiful Summer Resort and Sanatorium, near Fookow, to be let, fully furnished, for the whole season. Apply to Office of this paper for references.
Fookow, 22nd May, 1909. [794]

TO LET.

N^o. 2, ELLIOTT CRESCENT, ROBINSON ROAD, Six-Roomed House, with Out-house, Commanding a Fine View of the Harbour. Apply to—
F. X. D'ALMEIDA & CASTRO,
33, Queen's Road Central.
Hongkong, 7th July, 1909. [936]

TO LET.

FIRST FLOOR, No. 6, ACE HOUSE ROAD, NINE ROOMS, Electric Fittings, suitable for Office or Drilling. Also, GODOWN, No. 9, Duddell Street. Apply to—
A. B. AVASIA,
1, Duddell Street.
Hongkong, 1st July, 1909. [912]

TO LET.

GROUND FLOOR, No. 75, WINDHAM STREET. Electric Fittings. Apply to—
A. B. AVASIA,
1, Duddell Street.
Hongkong, 10th August, 1909. [941]

TO LET.

N^o. 1, GARDEN ROAD, Kowloon. Eight-Roomed House and Tennis Court. Apply to—
H. M. H. NEMAZEE,
9, Peddar's Hill.
Hongkong, 14th August, 1909. [1073]

TO LET.

N^o. 1, CANTON VILLAS, Kowloon. Apply—
THE HONGKONG LAND INVESTMENT & AGENCY CO., LD.
Hongkong, 4th August, 1909. [1035]

TO LET.

N^o. 1, ORMSBY TERRACE. No. 5, BARROW TERRACE. Cheap Rental. The well known Durbar House. Apply to—
SPANISH PROCURATION.
Hongkong, 31st July, 1909. [1026]

TO LET.

ONE LARGE OFFICE ROOM, No. 1, Prince's Building, 1st Floor. ONE SPACIOUS GODOWN, No. 125, Wanchoi Road. Apply to—
REUTER, BROCKELMANN & Co.
Hongkong, 1st July, 1909. [911]

TO LET.

N^o. 25, WINDHAM STREET, containing 6 ROOMS. Apply to—
E. A. & C. F. CARVALHO,
14, Arbuthnot Road.
Hongkong, 4th August, 1909. [1036]

TO LET.

N^o. 6, DES VŒUX ROAD CENTRAL, OFFICES and GODOWN. In No. 5, QUEEN'S ROAD CENTRAL, Victoria Building, Rooms suitable for Offices. No. 9, PEDDAR'S HILL, a Commodious Five-Roomed Dwelling House with Servants Quarters, next to the Masonic Club. Apply to—
DAVID SASSON & Co., Ltd.
Hongkong, 7th August, 1909. [1054]

TO LET.

N^o. 1A, WINDHAM STREET, suitable for SHOP and OFFICE, etc., lately occupied by Weissmann Ltd., for Tiffin Rooms. Apply to—
YEE SANG FAT & Co.,
Opposite General Post Office.
Hongkong, 21st June, 1909. [871]

SUPREME COURT.

Monday, 30th August.

IN CRIMINAL JURISDICTION.

BEFORE THE CHIEF JUSTICE (SIR E. FROGOTT).

EXTENSIVE THEFT OF OPIUM.

A special session was held for the trial of the three men and a woman concerned in the theft of a considerable quantity of opium. The three men were charged with stealing from the s.s. *Kutang* on the 13th July 1904 balls of Benares opium, the property of Messrs. Jardine Matheson & Co., and the woman was charged with receiving it well knowing it to have been stolen. The Acting Attorney General (Sir Henry Berkeley, K. C.), instructed by Mr. Dennis, who appeared for the Crown, said he would not offer any evidence against the third defendant and that his friend Mr. Alabaster would conduct the prosecution in his absence. Mr. Alabaster was instructed by Mr. Shenton, of Messrs. Deacon, Looker and Deacon. The first and fourth defendants (the latter being the woman) were defended by Mr. Eldon Potter, instructed by Mr. F. X. d'Almeida, Castro, the second defendant (the quartermaster) being unrepresented.

The jury was empanelled as follows: Messrs. J. C. Gow, A. Krantler, E. Jacobs, J. P. Douglas, W. M. Humphreys, F. Davidson and R. L. Brown.

The facts were outlined by Mr. Alabaster, from which it appeared that seven men approached the *Kutang* about midnight in a sampan and on getting close to the steamer the first defendant and three others went up the gangway. The second defendant, the quartermaster of the steamer, met them on the gangway and received money from the first prisoner, after which they passed on and entered the hold. One of the three men remaining in the sampan climbed the rigging and in that position secured the bags of opium which were handed him through the cargo port. Finally the four men returned to the sampan and were rowed off. Shortly afterwards the quartermaster gave the alarm to the officer on duty that "thief men have come." He pointed to three junks as having been concerned, but suspicion fell upon him and on the arrival of the police he was taken into custody. Subsequently the first prisoner was arrested and then followed the recovery of the opium in the woman prisoner's lighter, whence it had been transferred from the sampan, and the arrest of the others. Evidence was called and the hearing adjourned until to-day.

IN ORIGINAL JURISDICTION.

BEFORE HIS HONOUR SIR FRANCIS FROGOTT (CHIEF JUSTICE).

INSURANCE CLAIM FOR OIL.

Judgment was given in the action in which the Tung San Wei firm of Shanghai claimed from the Fo On Marine Insurance and Godown Company, Limited, of Wing Lok Street, the sum of 7,000 taels said to be due on 350 packages of ground nut oil. Mr. M. W. Slade, instructed by Mr. R. A. Harding, appeared for the plaintiffs, while the defendants were represented by Sir Henry Berkeley, K. C., and Mr. D. McNeill, who were instructed by Mr. A. Holborn (of Messrs. Deacon, Looker, and Deacon).

His Lordship in giving judgment said:—The questions raised in this case take up the points which were not fully gone into in my judgment in *Hip On Insurance Company v. Hang On Insurance Company*. The goods were insured on board the s.s. *Shao-Hing* from Shanghai to the port of Canton. The policy contained a "risk of craft" clause. The ship was moored to Messrs. Butterfield and Swire's pier-wharf opposite their godowns at Honam. The goods, oil in baskets, were put into lighters, some on the water side of the ship, some across the wharf into lighters. In each case the oil was weighed by or on behalf of the consignee and the lighters were hired by the consignee. The usual Custom House formalities were fulfilled either on the ship or on the wharf with a ship's delay on account of the Emperor's birthday, though the unloading of the cargo was continued during that day. The cargo consisted of 550 baskets of oil, and 200 of these were sold to a customer out of the lighters. On these facts the question arises whether the "risk of craft" clause in the policy covers the oil so landed. I do not think that it appears very clearly whether all the 350 baskets were landed overboard, but in the view that I take of the law this is immaterial, and I shall assume that it was. On behalf of the defendants it was contended that the overboard transshipment into lighters constituted a landing, and Lord Justice Bowen's dictum in *Hoelder v. Merchants Marine Insurance Company* was relied on. He said, "Landing goods means putting them upon the land, or upon that which by the custom of the port is its equivalent." I have no doubt that by "equivalent" was meant wharf or pontoon. But the case there was whether the "risk of craft" clause covered the goods in the lighters during transshipment to another vessel, and the use of the words "safely landed" in connection with that clause meant clearly that the craft covered by the risk must be craft used for the purpose of landing and not craft used for the purpose of transshipment. The dictum illustrates this argument, but in view of the circumstances in which it was used it cannot be stretched so as to conclude a case, such as the present, where the question is the fact that goods have touched land temporarily in the process of landing somewhere else a landing within the meaning of the policy? Lord Justice Bowen was considering the question of transshipment, something which happened before the landing; the land, so to speak, lay in the distance beyond the transshipment: and a broad general proposi-

tion sufficed. But when we get to the land, other questions may arise not foreseen which require special consideration and which cannot be concluded by a general proposition in the absence of such consideration. And this is necessitated by the facts of this case. I agree that "landing" means "landing," but Strong v. Nataly is an authority for saying that the words "safely landed" mean what they say, and if the goods have to be landed in a lighter the risk covers the transit to the shore in the lighter in normal circumstances. "Risk of craft" is a clause introduced since the day when the early cases were decided, and if it is inserted in the policy makes the matter still more plain. But it introduces some special considerations of its own. I am of opinion that insurers are bound to know the conditions of the trade which they insure. The fact that Messrs. Butterfield and Swire do not take oil into their godown seems to me to be irrelevant; a consignee is not bound to put his goods into the nearest godown: the fact that some well known oil godowns were across the water must or should have been known to this insurance company, and I think that even without this clause were it necessary so to decide, but certainly with it, the intention of the parties clearly was that in the process of landing lighters would be used; further, that "landing" means "putting the goods upon the land or upon that which is its equivalent by the custom of the port," where, in the clear intention of the parties, it was intended that the goods insured should be landed, and so the voyage terminated. If, therefore, according to the practice of the wharf, which is a much more suitable expression in the circumstances than "the custom of the port," it is necessary in order to get to the lighter, to tranship overboard, then it is not landing but an incident of the voyage, which is not concluded until the craft has completed it by taking the goods to the shore. The interference of the consignee at the scales does not bring the case within the other doctrine, which deals with the termination of the voyage by the consignee's own action, which I shall refer to presently. Clearly, weighing the baskets as they went into the lighter did not terminate the voyage. I am fully alive to the fact that the law, as I am laying it down, might be somewhat severely tested if a typhoon or tidal wave were to arise suddenly and destroy the goods while they were in process of transshipment on the wharf itself. But such a case arises, I am not afraid that the logic of the proposition, as I have enunciated it, would be equal to the task of deciding the case. A small point may be here referred to. It was suggested that while Messrs. Butterfield and Swire's wharves were in the port of Canton, the oil godowns were not. It could not be put higher than a suggestion. I am satisfied that what lies in or about the port is included in the port if shipping or goods in lighters usually go there, and that in this instance what was done was fully covered by the intention of the parties. I now come to the use of lighters, and I do not think the law is very clearly stated in *Arnould*. I shall first deal with the authorities. Sparrow v. Carruthers decides that if the consignee sends his own lighters for the goods there is an end of the voyage, but that it was otherwise if the goods were sent on shore by the ship's boats, or presumably the shipowner's lighters. I notice a possible anomaly which might arise, supposing the ship itself to have been chartered by the consignee, which does of itself show that the law was not quite clearly established then. But this case was doubted in *Hurry v. Royal Exchange Co.*, though it appears to have been set up again in *Strong v. Nataly*. But in *Hurry*'s case distinction was drawn between a public and a private lighter. The public lighters in question were described by Justice Brooke as being "publicly registered, in short, that sort of lighter which is equally known to the underwriters and the owner of the goods." It is to be observed that the reason for the distinction between public and private lighters seems to have been based, not on the ground that the goods had passed into the custody of the consignee, which was expressly pointed out to be an unproved distinction, but whether the risk of the underwriters was increased by using lighters which might perhaps not be well-fitted for dangerous or unusually risks operations, as the landing in that case seems to have been. In *Strong v. Nataly*, an ordinary lighterman was employed; but the underwriters were held discharged, not because the consignee had hired a lighter, but because he had "dispensed with the obligation of the lighterman to take charge of them during the night, and took them into his own custody." He had discharged the lighterman, and placed himself in the same situation as if the goods had been actually landed and delivered; and having so done he might have kept them in the lighter for a week, for he had as much control over them as if they had been in his custody for that period. In *Paul v. Insurance Co. of North America* Justice Matthew said that Sparrow v. Carruthers was an extraordinary decision to arrive at, so agreeing with the judges in *Hurry*'s case. He seems to have thought the same of *Strong v. Nataly*, which I think may be supported on another ground. He added that the "risk of craft" clause must cover carriage in a hired lighter, and why should it not also cover it in a lighter belonging to the assured, the person most concerned for the safety of the cargo? There seems to be a definite principle derivable from these cases. A hired lighter is within the meaning of craft, in the "risk of craft" clause; the much-doubted case of Sparrow v. Carruthers draws the distinction, not between private and public lighters, but between a hired lighter and the consignee's lighter. But if the putting them on any lighter can be construed into taking possession of

the goods by the consignee in such a way that it is tantamount to terminating the normal course of voyage, that is by ship plus lighter from the ship to the shore, then the risk has terminated too. Applying this to the facts of this case; undoubtedly the voyage, and so the risk, was terminated in the case of the 200 baskets sold from the lighter. So, too, if on the evidence I come to the conclusion that the consignee intended, not to store the remainder in the godown, but to sell them before storing, and for this purpose to store them temporarily in the lighter, then the risk would also have come to an end. That he would have sold them if a customer had come along is clear, but that is not the question: I must be satisfied that he did in fact so delay the transit to the godowns in the lighter, as to amount to a taking control of them for purposes other than those incidental to the voyage, of ship plus lighter. This brings me to the last point of delay. The heading must be in reasonable time; this point differs somewhat in detail from a deliberate termination of the voyage. I think, as I have already said, that I am bound to hold that the risk covered the transit by lighter to one of these godowns, and that it must further include such delay as is involved by the normal process of landing the oil into these godowns. Now, here again, there is one clear case where delays would release the underwriter. Supposing one of the godowns, or even both were full, and the lighterman lay alongside hoping for a chance of getting his oil taken in, clearly the risk could not cover such a case. But suppose that in the normal course of things the lighterman, or the consignee, applied for space, and he was told, not that space would be reserved beforehand, but that there was room, and his boatload would be attended to in due course, i.e., suppose it were first come first served, always coupled with a promise that he would be served, then I am clear that this would be in the normal course of business, and would be covered by the risk. Now I am going to make a short cut through the evidence. The plaintiff's agents in Canton were in the habit of storing their oil in quantities of 200 to 400 baskets, sometimes even of much smaller quantities. The defendants want me to believe that in this case they were going to depart from, I will not say their usual custom, because that is not proved, but from what they very frequently did. I put the letter on one side; I am not bound to go further than to say it might have been given by Mr. Ho without authority. But the godown manager wants us to believe that no application of any sort, kind or description was made, and that the plaintiff's agents deliberately lay alongside so as to keep the lighterman his full period of hire in the chance of selling the oil, and never intended to store it at all. The examination of the godown book as to the amount of work done by the godown on the days in question, as well as the answers I succeeded in getting from him as to the normal course of work at the godown wharf, so entirely bear out the story told by the plaintiff's witnesses, that I am compelled to accept the plaintiff's story. I, therefore, give judgment for plaintiff with costs.

Mr. Slade asked for interest on the money put of which they had been kept for a long time. His Lordship—The Court has discretion to give interest.

Mr. Slade—Yes, I don't ask for it as a right.

His Lordship—What are the facts?

Mr. Slade—We had to sue them in order to get our money and the order should carry interest.

His Lordship—I don't think this is a case in which I can give interest.

Mr. Slade—The money was payable under a contract, and they have kept the money in their own hands, and have had the benefit of it up to this time.

His Lordship—I don't think I have ever given interest.

Mr. Slade—I suggest your Lordship amends your procedure in this case. It is laid down in the old statute of William the Fourth, which was passed to remedy the obvious defects in the law.

His Lordship—I will hear what Mr. McNeill has to say.

Mr. McNeill submitted that it was in his Lordship's discretion.

His Lordship said he would consider the point in chambers. The costs of the commission were also reserved.

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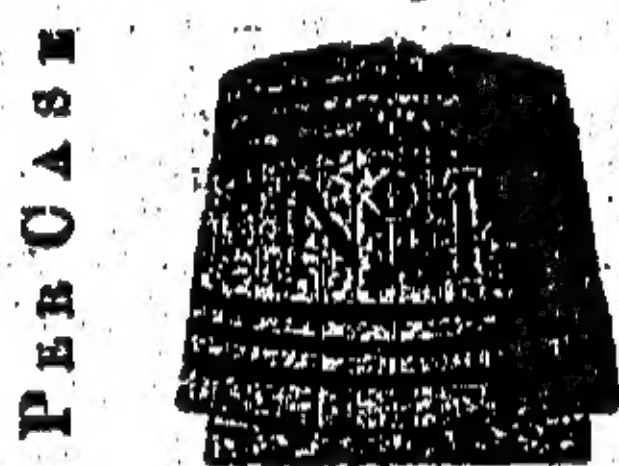
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Hongkong, 27th August, 1909.

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SHANGHAI	"CHINHUA"	On 2nd Sept., 4 P.M.
SHANGHAI	"CHENAN"	On 5th Sept., 4 P.M.
MANILA	"TAMING"	On 7th Sept., 4 P.M.
WEIHAIWEI and TIENTSIN	"KUEICHOW"	On 8th Sept., 4 P.M.
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MANILA	"YUENSANG"	Friday, 10th Sept., 4 P.M.
SINGAPORE, SAMARANG and SOERABAYA	"HINSANG"	Tuesday, 14th Sept., 2 P.M.
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KOBE and YOKOHAMA	KUMANO MARU, Capt. M. Winkler	6,000	WEDNESDAY, 1st Sept., at Noon.
KOBE and YOKOHAMA	MOYORI MARU, Capt. J. C. Richards	4,000	THURSDAY, 2nd Sept., at Noon.
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PENINSULAR & ORIENTAL

STEAM NAVIGATION CO.

HOMeward PASSENGER SEASON 1910.

PROPOSED SAILINGS OF MAIL STEAMERS

MARSEILLES AND LONDON.

TAKING PASSENGERS ALSO FOR COLOMBO, INDIA, AUSTRALASIA, EGYPT, BRINDISI, &c. THROUGH TICKETS ISSUED TO BOSTON AND NEW YORK.

STEAMERS	Leave HONGKONG	Connecting Steamers from COLOMBO to MARSEILLES & LONDON	Due MARSEILLES (Brindisi 2 days earlier)	Due PENNYNORTH (London 1 day later)
ARCADIA	February 5	MANITUA	March 5	March 11
ASSAYE	February 19	CHINA	March 19	March 25
DELTA	March 5	MALWA	April 2	April 8
MACEDONIA	March 19	(Through Bombay calling at Bander)	April 16	April 22
DEVANHA	April 2	MONGOLIA	April 30	May 6
ASSAYE	April 16	MARMORA	May 14	May 20
DELTA	April 30	MOREA	May 28	June 3
DELHI	May 14	MOOLTAN	June 12	June 18

Passengers change Steamers at COLOMBO, and those for BRINDISI transfer also to the Express Mail Steamer at PORT SAID.

Accommodation in the connecting Steamer from COLOMBO is definitely reserved in Hongkong or at the time of Booking.

FARES TO LONDON (Including Suez):

1st SALOON £71.10 SINGLE £106.14 RETURN.

2nd " £48.10 " £72.12

In addition to the above Mail Steamers the following—

INTERMEDIATE (NON-TRANSHIPMENT) STEAMERS

WILL LEAVE FOR

LONDON.

CARRYING SALOON PASSENGERS AT REDUCED RATES.

STEAMERS	Leave HONGKONG	Due LONDON
SYRIA	January	about 26
SUMATRA	February	about 9
RYANZA	February	about 23
GUNDA	March	about 23
MALTA	April	about 20
SABDINIA	May	about 4
NORE	May	about 18

These Steamers call also at SINGAPORE, PENANG, COLOMBO, and at MARSEILLES.

FARES TO LONDON (Including Suez):

1st SALOON £55.0 SINGLE £82.10 RETURN.

2nd " £38.10 " £57.4

* Carry 1st and 2nd Saloon Passengers.

For Further Particulars, apply to—

E. A. HEWETT,
SUPERINTENDENT.

